

The biggest and best stocks of goods ever brought to Pendleton are to be displayed this fall. East Oregon advertisements will tell all about them.

# East Oregonian

WEATHER FORECAST.

Fair and warmer tonight; Thursday fair and cooler.

VOL. 20.

PENDLETON, OREGON, WEDNESDAY, SEPTEMBER 4, 1907.

NO. 6665

## OFFICIAL LIST OF STATE TEXT BOOKS

In Use From the Beginning of This School Year—One Exception to Be Noted.

OLD BOOKS USED TILL THEY ARE COMPLETED.

Provided Such Completion May Be Reached by the End of This School Year—Books to Be Used Will Be Announced to Each Class First Day of School—Pupils and Patrons Enjoined Not to Purchase Books Without Duty Constituted Authority for so Doing.

The text books adopted by the state commission go into use the coming year. In order to make the expense to parents and pupils as small as possible, wherever it can be done the books now in use will be retained until they are completed, thus avoiding the exchange price. As a result, classes in certain subjects will retain the old books to mid-year, others to the end of the school year.

The books now in use that can not be completed by the end of the ensuing year must be examined for new books. Where pupils are promoted to a higher class and have finished a certain text, they will purchase the new books instead of the old. The following is the list of textbooks for each class:

- First Grade.** Wheeler's Primer, Wheeler's First Reader and Supplementary Readers, Outlook Writing Book, No. 1, Art Education Drawing Book, Book One.
- Second Grade.** Wheeler's Second Reader and supplementary readers, Outlook Writing Book, No. 2, Art Education Drawing, Book 2.
- Third Grade.** Wheeler's Third Reader and supplementary readers, Modern English Lessons, Smith's Primary Arithmetic, Outlook Writing Book, No. 3, Art Education Drawing, Book 3, Natural Introductory Geography (for A Class).
- Fourth Grade.** Cyr's Fourth Reader and supplementary readers, Modern English Lessons, Smith's Primary Arithmetic, Natural Introductory Geography, Krohn's First Book in Hygiene, Outlook Writing Book, No. 4, Art Education Drawing, Book 4, Reed's Word Lessons.
- Fifth Grade.** Cyr's Fifth Reader and supplementary readers, Modern English Lessons, Smith's Practical Arithmetic, Frye's Elementary Geography (for B class), Krohn's Graded Lessons in Physiology, Reed's Word Lessons, Outlook Writing Book, No. 5, Art Education Drawing, Book 5, Natural School Geography (A class).
- Sixth Grade.** Cyr's Fifth Reader, Smith's Practical Arithmetic, Modern English Grammar, Natural School eGeography, Thomas' Elementary History, Stowell's Healthy Body, Reed's Word Lessons, Outlook Writing Book, No. 6, Art Education Drawing, Book 6.
- Seventh Grade.** Cyr's Fifth Reader, Modern English Grammar, Smith's Practical Arithmetic, Frye's Elementary Geography, Doub's History of United States, Reed's Word Lessons, Outlook Writing Book, No. 7, Art Education Drawing, Book 7.
- Eighth Grade.** Cyr's Fifth Reader and classes, Modern English Grammar, Wentworth's Practical Arithmetic, Thomas' History of United States, Reed's Word Lessons, Outlook Writing Book, No. 8, Art Education Drawing, Book 8.

In the high school, since any particular text-book is usually completed in a year, there will be few if any exchanges. The announcement of the list of books for each class will be made to the students on Monday morning.

It will be better for pupils in general not to purchase or exchange until provided with a list by the teacher at the opening of school.

- **Run Down by Auto, Badly Hurt.** Seattle, Sept. 4.—Mrs. E. P. Baumgartner of Portland, ran down and seriously injured E. H. Evans, an employe of the Western Union at First avenue and Cherry streets, with an automobile last night. Mrs. Baumgartner was arrested and filed a bond. Evans is 55 years old. Until his condition is known no charge will be filed against Mrs. Baumgartner.

### SIX KILLED IN A WRECK. Many Others Injured Near Caledon, Canada.

Orangeville, Ont., Sept. 4.—Five cars of a special Canadian Pacific passenger train from Martindale to Toronto are in the ditch near Caledon.

Six persons are dead and the seriously injured number more than a score. The dead are: Norman Tucker, Fletchererton, John Thurston, Water Falls, James Banks, Perz, James Butler, Priceville, W. A. Armstrong, Markdale, Robert Carr, Shelbourne.

The train, which was heavily loaded, was running behind scheduled time. From Orangeville there is a pronounced down grade and the locomotive suddenly jumped the rails. Five of the seven cars followed.

The engineer was thrown through the window of his cab but escaped almost unhurt and not a train hand was killed.

The six persons killed were riding in the smoking car next to the locomotive.

### BRYAN TO OFFSET TAFT. He Will Defend Oklahoma State Constitution.

Oklahoma City, Okla., Sept. 4.—As an offset for the recent visit of Taft, who condemned the constitution written by the democratic convention and advocated the election of republican candidates for state offices in Oklahoma, the democratic committee has engaged Bryan to deliver two speeches in the territory this week.

As a result of a decision handed down by the supreme court Monday, Pendleton will have to wait at least until after next June's election before it can be given an armory building.

## IRRIGATION DAM HALF COMPLETED

### WHISTLER REPORTS TO WATERUSERS' SOCIETY.

The Great Scheme Is "Inside the Appropriation" and Splendid Progress Being Made—Nothing Yet Known as to When the Land Opening Will Take Place—Waterusers Elected Directors Tuesday.

At a meeting of the Umatilla Waterusers' association held at Hermiston yesterday afternoon directors were elected for the ensuing year and the progress of the Umatilla irrigation project was thoroughly discussed.

The directors elected were as follows: W. H. Skinner, H. G. Newport, Fred Yates, H. T. Irwin and A. C. Crawford. The directors will hold a meeting soon and elect officials from their number.

### TO PROSECUTE BORAH.

Special Assistants Sent to Boise to Help Prosecution.

Boise, Sept. 4.—Judge M. C. Burch of Denver, and S. R. Rush of Omaha, both special assistants attorney general of the United States, are in the city to act in connection with the land fraud and timber fraud cases now pending in the United States court against Senator Borah, John Kinkaid and others.

Mr. Rush arrived Sunday and Judge Burch yesterday. Both have been connected in the capacity of special assistants attorney general for a number of years. Mr. Rush for 13 years and Judge Burch for some 10 years. Mr. Rush assisted in the criminal prosecution of cases of this character in Nebraska, Wyoming and other states, but Judge Burch has always been connected with the equity side for the government in these cases, mainly in suits for recovery of lands, but he has filled the position of district attorney, hence has had considerable experience in criminal cases.

### Judge John Waldo Dead.

Judge John B. Waldo, formerly supreme judge of Oregon, a member of the legislature and prominent and respected citizen of Marion county, died at his home in the Waldo hills, Marion county, Monday night after an illness of two weeks. Judge Waldo was born in the Waldo hills, on the old Waldo homestead in 1844 and has been a resident of the state of Oregon all his life. Since the expiration of his term on the supreme bench in 1884 he has resided on his farm. He was a studious, affable man and one of the leading citizens of the state.

Fire at Eburne, near Vancouver, B. C., caused damage amounting to over \$50,000. Several residences, a church and two stores were burned.

## ARMORY HELD UP BY REFERENDUM

Supreme Court Holds Absence of Warning Clause Does Not Invalidate.

CIRCUIT JUDGE GALLOWAY DECISION WAS REVERSED.

"The Statute Has Not in Terms Enacted That There Shall Be a Warning Clause," Says Supreme Court; Therefore It Is Not Essential—Armory Appropriation Not Specifically Mentioned, But Inference and Association Seem to Include It in the Present Finding.

On Monday Chief Justice Bean rendered an opinion for the court in the case of the referendum petition against the University of Oregon's appropriation. The petition had been declared invalid by Circuit Judge Galloway because it did not contain the warning clause. However, this was held by the supreme court not to be a fatal defect, and the following extract from Chief Justice Bean's decision states the attitude taken by the court:

"The purpose of the petition for referendum is to identify a particular enactment of the legislative assembly, which the petitioners desire to have referred to the people—a question of identity, not of legislation."

"The statute has not in terms enacted that there shall be a warning clause upon the petition, but only in giving the form of the petition included a warning therein, which it provides 'shall be substantially the form of petition.'" and "this part of the statute is only a provision of form to aid in carrying out a right already existing, independent of the statute, and expressly states that it is not mandatory."

While the armory appropriation case was not one of those decided by the court, the facts in the case are said to be identical with those in the University of Oregon appropriation case. Consequently, it is feared that the guard appropriation will also have to wait until the people can vote upon the measure next June.

### HEARINGS IN THE NORTHWEST.

Washington, Sept. 4.—It is announced today the interstate-commerce commission will hold hearings on the Pacific coast this month. All complaints from that territory are now ready for presentation for hearings at Spokane on September 8, Seattle on September 13, Portland on September 18, San Francisco on September 19, Los Angeles on September 26.

### BROKE UP THE SERVICES.

Seattle "Apostles" Noisy in Their Methods of Worship.

Seattle, Sept. 4.—In the midst of a noisy service last night the members of a peculiar sect known as the Church of Apostolic Faith, were driven from their house of worship by a squad of police. The raid was the result of a petition signed by every resident within a couple of blocks of the place.

### Belts-Bacon Wedding.

John F. Bacon and Miss Etina Belts were married at the residence of the bride's parents on Jane street at 8 o'clock last evening. Rev. Lee Ferguson of the First Christian church, officiating. Only a few friends and relatives were present.

The state of Maryland has arranged a "Home Coming" week from October 13 to 19, and Marylanders everywhere are invited to return to their native soil for that event. Elaborate programs have been arranged for Baltimore and other large cities and it will be a state holiday.

## BELLINGER FINED HUNDRED DOLLARS

Judge Imposed \$50 on Each of Two Counts, With a Default Jail Commitment.

BURTON PLEADED NOT GUILTY AS TO MAYHEM.

Connell's Sentence for Horsestealing Withheld After Trial of His Partner Price—Means-Swayze Election Contest From Hermiston Was Called Yesterday—Next Step Will Be an Amended Complaint Made Necessary by Defense's Demurrer Being Sustained.

At a criminal session of circuit court held at 10 o'clock this forenoon, Ed Bellinger was fined \$100 by Judge Bean for gambling and permitting the same. Yesterday forenoon Bellinger pleaded guilty to two charges against him and time for passing sentence was fixed for this morning. Before sentence was passed upon Bellinger his attorney, J. R. Raley, made a brief plea in his behalf, which was answered by District Attorney Phelps. At the conclusion Judge Bean imposed a fine of \$50 for each count and ordered the defendant to jail should the fine not be met.

T. J. Burton, alias J. J. Wilbur, this morning entered a plea of not guilty to the charge of mayhem. He is being defended by Attorney Roland Oliver and his case will be tried out at the coming jury session of court.

Connell's Sentence Withheld. No sentence has yet been imposed upon Roy Connell, who yesterday pleaded guilty to the charge of horsestealing. It is understood that he is to be used as a witness for the defense in the case of his partner, Price, and in view of that fact it is likely sentence will not be passed upon him until after Price's trial. Mrs. Connell, mother of the young prisoner, has been here today and is heartbroken over her son's predicament.

Yesterday afternoon the Means-Swayze election case upon demurrer, a demurrer to the complaint had been filed by Swayze's attorneys and the same was upheld by Judge Bean. However, the point involved was a technical one and an amended complaint will be filed shortly, so it is said.

This afternoon testimony is being taken in the case of H. G. Hulbert vs. E. P. Miller. It is a water suit from the Echo country.

### To Throw Open Fertile Lands.

Denver, Colo., Sept. 4.—Tomorrow will be a red letter day for Routt county, in this state, particularly the Little Snake river valley, when about 50,000 acres of splendid agricultural lands will be thrown open for settlement under three provisions of the Carey act. The Snake river project is the first of its kind launched in Colorado under the Carey law, and from all indications will be entirely successful from every viewpoint. Many men are now working on the canal system, and with the present rate of progress water will be supplied to a large part of the valley next spring.

### To Curtail Lumber Output.

Wilmington, N. C., Sept. 4.—Following several preliminary conferences the members of the North Carolina Pine association met here today to take final action on the question of a curtailment of the lumber mills in North and South Carolina, Virginia and eastern Maryland.

Sick and nearly penniless, Mrs. Dora McDonald, widow of Millionaire "Mike" McDonald, the former "gambling king" of Chicago, has returned to the family residence at 4501 Drexel boulevard, which her husband had not allowed her to enter since she is alleged to have shot and killed Webster Guerin, her supposed paramour. McDonald died several weeks ago, leaving a fortune of \$3,000,000.

### BRISTOL TO BE DROPPED. Announced that the Land Fraud Prosecutions Are to Be Stopped in Oregon.

The Oregon Daily Journal prints the following review of the land fraud situation in Oregon and gives a forecast of the political moves which are likely to be made by which William C. Bristol, United States District attorney for Oregon, is to be quietly dropped from office: Prosecution of the Oregon land frauds is at an end.

With over 30 indictments still pending, the government has tacitly called off the dogs of war. Francis J. Heney, the most redoubtable prosecutor who ever came to Oregon, and William J. Burns, the famous sleuth, will come no more to this state to carry terror into the hearts of violators of the land laws.

United States District Attorney William C. Bristol, upon whose shoulders the mantle of Heney was to fall in the further conduct of the prosecutions, is slated for removal from office and his political foes are already eagerly debating the choice of a successor.

No incumbent of the office has ever worked harder or more zealously than Bristol, but when congress convenes next December he will be without a friend in the Oregon delegation to urge his continuance in office and there is the strongest reason to believe that President Roosevelt will not even send his name up for reappointment.

## SOCIETY CIRCUS IS FORMULATING

### JOINT COMMITTEE OF TEN HAS AFFAIRS IN CHARGE.

Five Represent Company L of the National Guard and Five the Gymnasium—The Guardsmen Have Decided to Hold Several Public Dances in the Armory During the Third District Fair.

At a business meeting following the drill by company L last night a committee of five was named by Captain Kern to serve with the gymnasium committee of the Commercial association in giving a society circus here this fall. The committee named from the company is composed of the following: Sergeants Oliver, Drake, Paslay, Bailey and Private Bear.

At 5 o'clock this afternoon the joint committee will meet in the office of Mark Moorhouse for the purpose of perfecting an organization and commencing on the work of arranging for the circus. The gymnasium committee is composed of the following: Mark Moorhouse, H. C. Thompson, E. B. Aldrich, R. E. Tarbett and J. T. Lambirth.

At the company meeting last night it was also decided to give several public dances in the armory during the district fair week, and a social committee was named to have charge of the same.

Last night was the first drill held by the company since its return from the encampment, but regular drills will henceforth be held every Tuesday evening. Most of the company are now provided with the dress uniforms, and they were worn for the first time last night.

### LOUIS GLASS SENTENCED.

Following Conviction for Bribing Supervisors.

San Francisco, Sept. 4.—The court said in passing sentence upon Louis Glass, convicted of bribery of supervisors:

"There are two general considerations pending upon the mind of the court in determining the measure of punishment in this case. The first turns upon the situation of the defendant himself. The man is well advanced in years and has appeared in court charged the first time with the commission of a public offense. The other consideration is the nature of the offense, which in effect is a criminal transgression upon the institutions of the country itself. The certainty rather than the extent of punishment should control. Weighing both considerations, I have reached the conclusion as to the measure of punishment, which I feel should be both just and fair under all the circumstances presented.

"Louis Glass, it is the judgment of the law and the sentence of the court that you be confined in the state prison of the state of California at San Quentin, for a term of five years."

For some moments after the sentence Glass stood as stunned.

### Coming Here for School.

J. B. Baker of Meacham is in the city making arrangements to move his family to this city for the purpose of sending his children to the public schools. He expects to buy a home and come here every winter until his children finish the schools.

Twenty-seven young Indians have just left the Nez Perce reservation for Carlisle, Pa. The party consists of 15 boys and 12 girls, all but five being over 12 years of age.

## DISCOUNT FAIR DAILY PROGRAM

A Procession of Interesting Events Appealing to Varied Tastes of Everybody.

A WEEK OF RARE DIVERSION FOR THOUSANDS OF PEOPLE.

Program Starts as Pendleton Day, and Livestock and Portland Day, Morrow County and Agricultural Day, Elks' and Irrigation Day, Educational and Children's Day and Political Day Follow—Fair Opens September 23 for Six Days.

- Official Fair Days.
- Monday—Pendleton day.
- Tuesday—Livestock and Portland day.
- Wednesday—Morrow county and Agricultural day.
- Thursday—Elks' and Irrigation day.
- Friday—Educational and School Children's day.
- Saturday—Political day.

At a meeting of the district fair commissioners held yesterday afternoon the complete program for the fair week was decided upon, official days being designated as stated above.

Monday, September 23, has been designated as Pendleton day in recognition of the part which this city is playing in the work of carrying on the fair. The detailed program for that day has not yet been arranged, but it will consist of addresses and other numbers appropriate for the opening day of the fair.

On Tuesday it is hoped to have a delegation of Portland people present and the day will be devoted to the livestock interests and Portland. T. B. Wilcox, president of the Oregon Development league, has been asked to organize a party of Portland business men to come up for the occasion and it is understood that a good sized delegation will be present.

On Morrow county day a special train will be run from Heppner, Long Lexington and Irigon to this city and it is hoped to have the citizens of Morrow county here in a body. In arranging for the fair the commissioners have given all prominence possible to the sister county and it is the hope that the neighboring people will show their appreciation by attending the fair, at least upon the day designated in their honor.

Elks' day and School Children's day have been contemplated for some time past and they will both be interesting times. Elks' day especially promises to be a spectacular one for in the evening a parade will be held in which the various members of the order here and elsewhere in the district will participate, clad in suitable raiment.

### Political Day.

Saturday, the closing one of the fair week, will be Political day, and in view of the strenuous preliminary political work now being carried on it should meet with much favor. Prominent public men from all over the state have been invited to attend and enliven the occasion with addresses. The following are some of the "big ones" who have received bids from the fair commission and will very probably be present on Saturday: Governor Chamberlain, District Attorney Manning of Portland, ex-Senator John M. Gearin, Mayor Harry Lane of Portland; Senator C. W. Fulton, ex-Senator B. F. Mulkey, Dr. H. W. Coe, H. M. Calk, M. A. Miller of Lebanon; Congressman Hawley and Congressman Ellis.

Aside from those invited to come for the political day program many other invitations have been sent out and responses are being received daily. Dr. James Withycombe has accepted a position as judge for livestock day and also to deliver an address. Chief Justice Bean, Supreme Judge Eakin, Judge Webster of Portland, and County Judge Lake of Wasco, have all written Secretary Fitz Gerald signifying their desire to attend the fair.

- Clearing the Docket at Boise.
- Boise, Sept. 4.—The criminal docket of the district court has been cleared by Judge Wood to make way for the trial of Geo. Pettibone October 1, but postponement may be necessary because of the Steve Adams trial in northern Idaho and the trial of Senator Borah in the federal court here for alleged timber land frauds. It is believed the conviction of Borah would mean dropping the Pettibone and Moyer cases.